

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RICHARD DAVIMOS, JR.)	
)	
Plaintiff)	
)	
v.)	Civil Action No. 2:13-cv-225 (GZS)
)	
JOHN HALLÉ, <i>et al.</i> ,)	
)	
Defendants)	

**STIPULATIONS FOR USE IN CONNECTION
WITH DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

The parties, by and through their undersigned counsel, hereby stipulate and agree to the following facts solely for the purpose of the presentation of a summary judgment motion to the Court. This Stipulation will not be effective or binding on the parties at the trial of this matter or in connection with the consideration of any motions other than the motion for summary judgment scheduled to be filed by June 11, 2014.

Introduction

1. In January, 2002, Plaintiff Richard Davimos filed a lawsuit in the Supreme Court of New York, Index No. 1110132-02 against Defendant John Hallé individually concerning a demand for payment of a \$1,000,000 guarantee Mr. Davimos alleged was issued to him by Mr. Hallé.

2. On July 19, 2005, the New York Supreme Court granted partial summary judgment in favor of Mr. Davimos with respect to a breach of contract claim.

3. On December 19, 2006, the Appellate Division of the Supreme Court of New York reversed the Supreme Court's Order granting summary judgment and remanded the case to the Supreme Court.

4. On November 26, 2007, a bench trial was held in the New York Supreme Court, resulting in a judgment dated June 26, 2008, and filed with the County Clerk's office on September 18, 2008, in the total sum of \$1,582,075.53 consisting of the principal sum of \$1,000,000.00, plus interest from January 7, 2002, until the date of the judgment in the sum of \$582,075.53, in favor of Mr. Davimos.

5. In March, 2009, the Supreme Court of the State of New York Appellate Division affirmed the judgment.

Jenis Holding Company, LLC

6. On December 13, 2006, Jenis Holding Company, LLC filed Articles of Organization for a Florida limited liability company. A true and accurate copy is attached hereto as **Exhibit 1**.

7. On November 2, 2007, Jenis Holding Company, LLC registered in New Hampshire as a foreign LLC. A true and accurate copy is attached hereto as **Exhibit 2**.

8. In the years 2008 through 2013, Jenis Holding Company, LLC filed Annual Reports as a foreign LLC in the State of New Hampshire. True and accurate copies are attached hereto as **Exhibit 3**.

9. In the years 2007 through 2011, Jenis Holding Company, LLC filed Annual Reports in the State of Florida. True and accurate copies are attached hereto as **Exhibit 4**.

10. On March 19, 2012, Jenis Holding Company, LLC filed its Articles of Dissolution with the Florida Secretary of State. A true and accurate copy is attached hereto as **Exhibit 5**.

Falmouth Property

11. By way of a deed dated September 15, 2005, John R. Hallé and Sharon Hallé transferred real estate located in the Town of Falmouth to Sharon Hallé.

12. The September 15, 2005 deed was publicly recorded in the Cumberland County Registry of Deeds Book 23184 Page 159. A true and accurate copy of the publicly recorded deed is attached hereto as **Exhibit 6**.

Dated: June 2, 2014

/s/ Lee H. Bals

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Dated: June 2, 2014

/s/ Brian L. Champion

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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2014, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which caused a copy of this document to be served electronically on all registered counsel of record:

Lee H. Bals, Esq.
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Portland, ME 04101-4035

Dated: June 2, 2014

/s/ Brian L. Champion
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